IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

Bail Appl..No. 4096 of 2007()

CMP.3990/1997 of J.M.F.C.,MAVELIKKARA

.....

(CRIME NO.147/2007 OF KURATHIKAD POLICE STATION)

PETITIONER :

SHABU,AGED 23 YEARS,S/O.ABDURAHMAN,
ASANTHARAYIL,K.M.C WARD NO.23,
CHERAVALLIMURI,KAYAMKULAM VILLAGE.

BY ADV. SRI.VINCENT JOSEPH

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
SUB INSPECTOR OF POLICE,KURATHIKADU POLICE STATION
THROUGH PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ALONG WITH BA NOS. 4113/07,4115/07 & 4116/07 ON 06/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J
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B.A.Nos.4096, 4113,4115
and 4116 Of 2007
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Dated this the 6th day of July, 2007

ORDER

Applications for regular bail. Petitioners face allegations under Section 399 IPC. The petitioners were all allegedly found together by the Police on 8.6.07 under suspicious circumstances armed with dangerous weapons, chilly powder etc. organising some misadventure. They were arrested on 8.6.07. Some of them have criminal antecedents to their credit. Some of them are not shown to have any criminal antecedents yet. Investigation is in progress. The petitioners have remained in custody from 8.6.07. They pray that bail may be granted to them now.

2. The learned Public Prosecutor opposes the application. All indications point to a very reasonable instance of culpability against the petitioners submits the learned Public Prosecutor. Investigation is not complete. At any rate, it is too early to consider the release of the petitioners on bail. In a serious crime like the instant one, the investigators may be granted further time to complete the investigation, submits the learned Public Prosecutor.

3. I find merit in the opposition by the learned Public Prosecutor.

This is so in spite of the strenuous contention raised by the learned counsel for the petitioner in B.A.No.4096/07, that there is not even one case indicating his culpability for any criminal offences in the past. I am satisfied that the Investigators must be given sufficient and reasonable further time to complete the investigation. No malafides is even alleged.

4. In these circumstances, these applications are dismissed. However, I may hasten to observe that the petitioners shall be at liberty to move this Court or the Sessions Court for bail again, at a later stage of investigation, not at any rate, prior to 20.07.07. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj